

236 CMR: BOARD OF CERTIFICATION OF OPERATORS  
OF DRINKING WATER SUPPLY FACILITIES

236 CMR 2:00: GENERAL PROVISIONS

Section

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2.01: Purpose

The purpose of 236 CMR 2.00 through 5.00 is to insure the proper management, operation and maintenance of public water supply systems. ~~236 CMR 2.00 through 5.00, as amended, shall be effective on September 1, 1994.~~

2.02: Severability

If any provision of 236 CMR or its application to any unit of government is held invalid, such invalidity shall not affect other provisions or applications of 236 CMR which can be given effect without the invalid provision or application, and to this end the provisions of 236 CMR are declared to be severable.

2.03: Definitions

Association of Boards of Certification (ABC) means an international organization of environmental certification boards which is a not-for-profit corporation incorporated in the State of Iowa.

Board means the Board of Certification of Operators of Drinking Water Supply Facilities as defined by M.G.L. c. 13, § 66B.

Certificate means the certificate of competency issued by the Board stating that the operator has met the requirements for the specified operator classification of the certification program.

Certification of Competency means a certificate issued by an organization, institute or school which is recognized by the Board as being appropriate for the training of a public water system operator.

Chlorination means the addition of a chlorine compound or chlorine gas to water.

Class means the classification of a public water system according to the Department of Environmental Protection's Drinking Water Regulations at 310 CMR 22.11B in consultation with the Board.

Continuing Education Unit (CEU) refers to a specified number of training contact hours (TCH). One CEU equals ten TCH's.

Contract Operations means the operation, and/or management and/or maintenance of a public water system by someone other than the official purveyor of water.

Disinfection means the altering of the water with a chlorine compound, chlorine gas or other agents or methods designed to inactivate the microbiological contaminants in the drinking water.

Distribution System means a system of conduits (laterals, distributors, pipes, mains and their appurtenances) ~~by which a potable water supply is distributed~~ **which distributes potable water** to consumers. For the purpose of 236 CMR 2.00 through 5.00, the distribution system may be deemed to include the source, booster pumping stations, storage reservoirs, and chlorination and/or disinfection facility.

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Fluoridation means the treatment by the adjustment of the fluoride ion concentration to produce the optimum fluoride concentration in the water.

Full Operator certificate status means an operator who has passed a certification examination and meets all requirements set forth in 236 CMR 4.01 for a specified water system.

Grade C Operator 1, 2, 3, or 4 means an operator certificate issued by the Board before December 31, 1989.

Inactive Operator means a retired operator who holds a current certificate, but who is not engaged directly or indirectly in the onsite operation of a public water system as an employee of said system.

In-Line Treatment means a treatment process ~~that which~~ consists of the addition of a chemical to a water supply system in such a way that it alters the physical, chemical, radiological or microbiological quality of the water exclusive of collection or distribution of the water. Disinfection is not considered in-line treatment or a treatment process.

Operator means a person who is engaged in the onsite management, operations, or maintenance of a public water system or routinely performs water works related duties and is responsible for, ~~and has field supervision of, distribution and/or treatment activities.~~ "Operator" does not ordinarily apply to an official exercising only general administrative supervision or engineering design duties such as the city engineer or an elected water commissioner, or to clerical or administrative workers involved only in activities such as customer relations, billing, payroll, timekeeping, *etc.*

Operator-in-Training means an applicant who has passed a certification examination, but who does not meet the education and/or experience requirements specified in 236 CMR 4.01 for the grade of examination passed.

Operator Status means the status of licenses as issued by the Board, namely "Full Operator" or "Operator-in-Training".

Public Water System means a system for the provision to the public of piped water for human consumption, as defined at 310 CMR 22.00: Drinking Water Regulations. ~~if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days of the year. Such term includes (1) any collection, treatment, storage, and distribution facilities under control of the operator of such a system and used primarily in connection with such system, and (2) any collection or pretreatment storage facilities not under such control which are used primarily in connection with such system. A public water system is either a "community water system" or a "non-community water system".~~

~~(a) Community water system means a public water system which serves at least 15 service connections used by year round residents or which regularly serves at least 25 year round residents.~~

~~(b) Non-community water system means a public water system that is not a community water system.~~

~~(c) Non-transient non-community water system or NTNCWS means a public water system which is not a community water system and which regularly serves at least 25 people or more approximately four or more hours per day, four or more days per week, more than six months or 180 days per year, such as a work place providing water to its employees.~~

Reciprocity means certification of a person who has passed a ~~written~~ Board approved examination ~~in a Association of Board of Certification member state~~ or a person who has a certification ~~meets the requirements of a reciprocity registry~~ accepted by the Board and who meets the experience and education requirements of the Board.

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Softening means the treatment process of softening water by passing it through a substance such as, but not limited to, zeolite, or the addition of chemicals that are exchanged for the hardness-causing elements.

Stabilization or Corrosion Correction means the treatment by the addition of chemical compounds to water to maintain an ionic equilibrium whereby the water is not in a depository or corrosive state.

Taste and Odor Control means the removal, masking or dispersion of unwanted tastes and/or odors in the water by chemical, mechanical or other means.

Training Contact Hours (TCH's) means the hours of training an operator has acquired in the last certificate renewal cycle. Each seminar, workshop, training course or college course will have a specific training hours value as rated by the Board. One CEU equals 10 TCH's.

Treatment Process means the portion of a drinking water system containing various chemical additions and/or filtration processes exclusive of collection or distribution, which alters the physical, chemical, radiological or microbiological quality of the drinking water. Disinfection is not considered a treatment process or in-line treatment.

Very Small System (VSS) means a public water system which serves a population of less than 500 people.

Water Vending Machine (VND) means a self-service public water system which, upon payment, dispenses drinking water in bulk without the necessity of replenishing the device between each vending function.

2.04: Board of Certification of Operators of Drinking Water Supply Facilities

(1) All meetings of the Board shall be open to the public, except that the Board may sit in executive session in those instances permitted by M.G.L. c. 30A, § 11A½.

(2) Requests for topics to be placed on the Board's meeting agenda shall be filed at the office of the Board in writing not less than 30 calendar days prior to a scheduled regular or special meeting.

(3) The Board shall meet at least semi-annually. The chairman of the Board may call special meetings if in his/her judgement circumstances require it. Special meetings may also be called on petition of three members of the Board.

(4) A quorum for the conduct of business at any meeting of the Board shall consist of four members. Three members of the Board at a regular or special meeting may receive and review reports, applications and other correspondence.

(5) Majority vote of the Board means the majority of the membership present. ~~Majority vote is four votes.~~

(6) The chairman of the Board shall be the Commissioner of the Department of Environmental Protection or his/her designee. The Board shall annually elect by majority vote one vice chairman and one secretary.

(7) The term of office of the Board members shall be as provided in M.G.L. c. 13, § 66B.

(8) The chairman shall preside at all meetings of the Board, shall sign all official documents of the Board and shall act as spokesperson for the Board. In the absence of the chairman, the vice chairman shall preside at meetings and perform all duties usually performed by the chairman.

REGULATORY AUTHORITY

236 CMR 2.00: M.G.L. c. 13, § 66B.